

Appl. No. 10/655,228
Amdt. dated August 15, 2005
Reply to Notice dated July 27, 2005

PATENT

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 4. This sheet, which includes Figs. 4a and 4b replaces the original sheet including Fig. 4.

Attachment: Replacement Sheet
Annotated Sheet Showing (redlined) Changes

REMARKS/ARGUMENTS

Claims 1-15 were pending. Claims 1, 4, 5, 8, 9, 10, 13, 14 and 15 have been amended and claim 12 has been canceled. Therefore, upon entry of this amendment, which is respectfully requested, claims 1-11 and 13-15 will be pending.

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(4) since the reference character "14" was used for multiple elements in Figure 4. Appropriate correction has been made by way of amendment to Figure 4 to replace "14" with "9" in reference to the bar used to connect the knob and the element used to move the objective lens.

The drawings were also objected to as failing to comply with 37 CFR 1.83(a) as not showing every feature specified in the claims. Appropriate correction has been made in part by amending claim 14, and in part by adding Figure 4b. Support for the elements shown in Figure 4b can be found in the originally filed claims and in the specification at page 3, line 21 to page 4, line 9, for example. No new matter is hereby added.

The specification was objected to for containing minor informalities. Appropriate correction to the specification has been made by way of amendment to the identified minor informalities and others.

Claims 8-13 were rejected under 35 USC §112, second paragraph, as being indefinite. Appropriate correction has been made by way of amendment to these claims as suggested by the Examiner. Claim 12 has been canceled.

Claims 14-15 were rejected under 35 USC §101 as not setting forth any steps involved in the claimed process. Appropriate correction has been made by way of amendment to the claim to include a step of adjusting the objective lens.

Claims 1, 4-5, 13-14 and 15 were objected to for various informalities which have been corrected by way of amendment to the claims including amendments suggested by the Examiner.

Claims 1-15 were rejected under 35 USC §103(a) over Steintal (US Patent No. 5,963,369) in view of Abe (US Patent No. 5,581,399). Applicants respectfully request withdrawal of this rejection in view of at least the following comments.

Applicants respectfully assert that the cited references fail to teach or suggest the limitation of "a focusing mechanism which simultaneously focuses images formed by the objective lens to the eyepiece and to the image detector of said embedded stereoscopic imaging system" as now recited in claim 1. The Office Action relies on Abe for the teaching that "[a]n autofocus system is used to move the objective lens system for the purpose of focusing." Abe does teach moving the objective lens as indicated by the Examiner, however, Abe does not teach or suggest a mechanism that simultaneously focuses images formed by the objective lens to the eyepiece and to the image detector. Rather, Abe teaches a half mirror 33L that focuses an image to a display 34L and to a point PL (see Figure 1) in front of the image sensor 41L. Thus, the image is not focused by the half mirror 33L at the image sensor 41L, but rather is focused at a point PL in front of the image sensor. Additional optical components (e.g., 421L and 422L) are required to focus the image onto image sensor 41L. The present invention, to the contrary, by including a mechanism that focuses the image simultaneously onto the eyepiece and onto the image detector, advantageously requires fewer components. Therefore, withdrawal of this rejection to claim 1 is respectfully requested as claim 1 is allowable in view of the cited references.

For similar reasons as above, the cited references also fail to teach or suggest "a movable objective lens which simultaneously adjusts the focal length of (a) of the optical viewing system and (b) of the embedded imaging system" as recited in claim 7, or the step of "adjusting the objective lens so as to focus images formed by the objective lens onto the eyepiece and simultaneously onto the optical sensor" as recited in claim 14.

All claims depending from independent claims 1, 7 and 14, are also allowable in view of the cited references based at least on their dependency from allowable independent claims.

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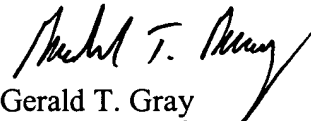
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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Attachments
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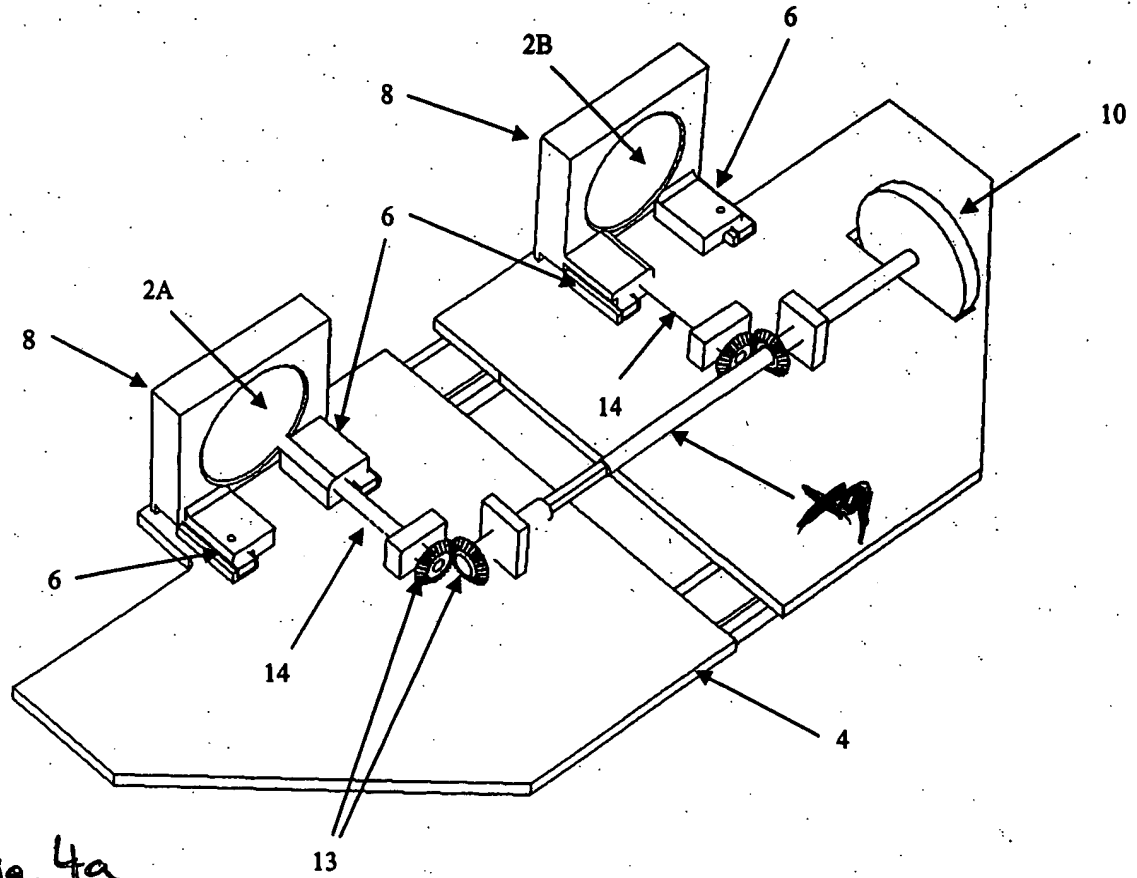


Fig. 4a

FIGURE 4 of 4

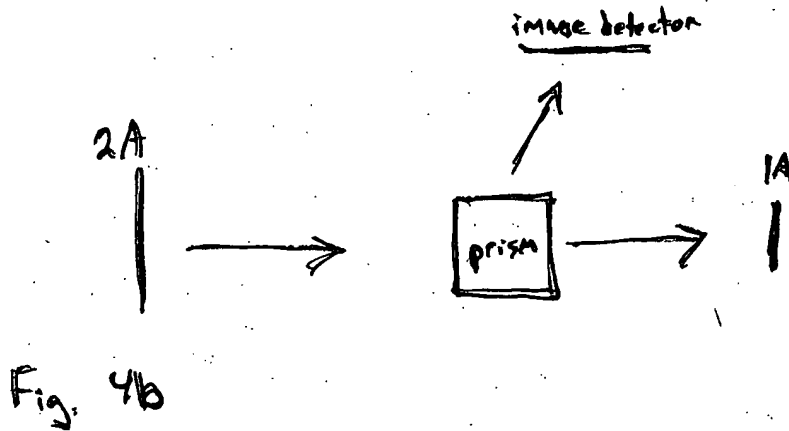


Fig. 4b